

## Department of Planning and Budget 2017 Fiscal Impact Statement

**1. Bill Number:** SB1490-ES1

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Engrossed
Second House	<input checked="" type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

**2. Patron:** DeSteph

**3. Committee:** Privileges and Elections

**4. Title:** Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.

**5. Summary:** Establishes a pilot program at the Department of Elections that permits any active duty member of a uniformed service who has been called to duty for deployment without access to United States mail to use his digital signature associated with his Common Access Card issued by the U.S. Department of Defense, or any replacement to the Common Access Card issued by the U.S. Department of Defense, to sign his application for a military-overseas ballot, the statement of voter accompanying his cast military-overseas ballot, and any other related documents. The bill also requires the system through which a covered voter may apply for and receive voter registration materials, military-overseas ballots, and other information to be capable of accepting the submission of voted military-overseas ballots cast by any active duty member of a uniformed service who has been called to duty for deployment without access to the United State mail. The provisions of this legislation will expire July 1, 2019. *The provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2017 by the General Assembly that becomes law.*

**6. Budget Amendment Necessary:** Yes – Item 86 (Electoral Services)

**7. Fiscal Impact Estimates:** Preliminary. Indeterminate – see Item 8.

**8. Fiscal Implications:** The proposed legislation would require the Department of Elections (ELECT) to build one single solution to deliver ballots and enable voters to submit digitally signed ballots electronically. The annual cost, beginning in fiscal year 2018, includes funding for hardware, contractors, solution licensing and support expenditures and is summarized in the table below.

Staffing (Annually):	\$288,000
Hardware (Annually):	\$316,703
Development (One-time):	\$1,400,000
Authentication service (Annually):	Unknown

The estimated hardware costs are \$316,703, which is based on the Virginia Information Technologies Agency (VITA) fiscal year 2017 information technology rates. The hardware

costs include funding to support four production servers with disaster recovery, three user acceptance testing services, and two integration development servers. Due to the size and complexity of the solution, the department would need to hire two contractors: one security engineer and one business analyst, estimated at an annual cost of \$288,000. The department notes that the Department of Defense's Common Access Card will provide authentication services for the military voter, but there will need to be an authentication service domestically for the local election officials accessing submitted ballots. The cost of this additional authentication service is currently unknown.

The solution would also require security audit and vulnerability testing. The department is a member of VITA's shared security center, which provides security audits for sensitive systems once every three years and application vulnerability scanning quarterly pursuant to state information technology security standards.

The one-time development cost in fiscal year 2018 includes \$1.4 million for development and deployment of the ballot delivery and ballot submission solution. The estimate is based on the cost of the online ballot delivery portal for military voters funded through the Department of Defense's Federal Voting Assistance Program. The cost assumes the solution is turned over to the department and that no further licensing or support costs are required.

The Governor's proposed budget includes \$570,000 in fiscal year 2018 from the general fund to continue the existing online ballot delivery portal for overseas military voters. The original funding for this initiative was a federal grant that expired following the November 2016 election, and due to rules tied to the grant, only allowed for ballot delivery, not for submission of a completed ballot. The department notes that this legislation would require an additional \$830,000 of development and deployment costs, assuming the amendment to continue the online ballot delivery system is approved, to fund the \$1.4 million needed for a ballot delivery and ballot submission solution.

The Department's solution should not have a material fiscal impact for localities; however, some localities may require additional staffing due to the projected increase in the number of absentee ballots.

**9. Specific Agency or Political Subdivisions Affected:** Department of Elections, electoral boards, general registrars, and localities.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** The engrossed version of this bill adds a third enactment clause that states that the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2017 by the General Assembly that becomes law.

Senate Finance Committee amendment 86#1s removed \$570,000 general fund appropriation in FY 2018 for online services for military-overseas and other overseas voters.

Date: February 10, 2017

File: SB1490ES1